



DANIEL HARRIGAN, MAYOR

CITY OF AKRON, OHIO

Margo Sommerville, President

Jeff Fusco, Vice-President

Mike Freeman, President Pro-Tem

Members of Council:

Jeff Fusco, At-Large	Tara Mosley, Ward 5
Linda Omobien, At-Large	Brad McKittrick, Ward 6
Ginger Baylor, At-Large	Donnie Kammer, Ward 7
Nancy Holland, Ward 1	Shammas Malik, Ward 8
Phil Lombardo, Ward 2	Mike Freeman, Ward 9
Margo Sommerville, Ward 3	Sharon Connor, Ward 10
Russel Neal, Ward 4	www.akroncitycouncil.org

Council Agenda for December 5, 2022

Regular Meeting held on November 28, 2022. All members were present. Minutes of the previous meeting approved. Ayes: 12, Nays: 0 (Neal abstained).

CONSENT AGENDA

NO ITEMS

RULES (M. Freeman, Chair)

NO ITEMS

BUDGET & FINANCE (M. Freeman, Chair)

NO ITEMS

PLANNING & ECONOMIC DEVELOPMENT (J. Fusco, Chair)

FIRST READING AND REFERRED: UP FOR PUBLIC HEARING
DECEMBER 12, 2022:

- 1 ORDINANCE authorizing a Conditional Use to establish a special event center/banquet hall at 133 Merriman Road; and declaring an emergency. (11/28/2022)
- 2 ORDINANCE authorizing a Conditional Use to construct a commercial facilities and grounds building at 389 Edgewood Avenue; and declaring an emergency. (11/28/2022)

FIRST READING AND REFERRED:

- 3 ORDINANCE authorizing a Conditional Use to establish a Type A daycare home at 1182 Tulip Street; and declaring an emergency. (11/28/2022) (To be scheduled for Public Hearing)
- 4 ORDINANCE authorizing a Conditional Use to construct an oversized garage addition at 525 Glenway Drive; and declaring an emergency. (11/28/2022) (To be scheduled for Public Hearing)
- 5 ORDINANCE authorizing a Conditional Use to establish an auto dealership at 338 N. Arlington Street; and declaring an emergency. (11/28/2022) (To be scheduled for Public Hearing)
- 6 ORDINANCE authorizing a Conditional Use to establish a Type A daycare home at 393 E. Woodsdale Avenue; and declaring an emergency. (11/28/2022) (To be scheduled for Public Hearing)

TIME:

- 7 ORDINANCE declaring certain improvements to real property located in the Downtown Area Redevelopment Area to be a public purpose and exempt from real property taxation; providing for the collection of service payments in lieu of taxes and the deposit of those service payments in the appropriate fund; providing for the payment of a portion of the service payments to the Akron Public School District, all pursuant to Ohio Revised Code Sections 5709.41 to 5709.43 (the “Act”); and declaring an emergency. (11/21/2022)
- 8 ORDINANCE declaring certain improvements to real property located in the Firestone Business Park / Cole Avenue Extension to be a public purpose and exempt from real property taxation; providing for the collection of service payments in lieu of taxes and the deposit of those service payments in the appropriate fund; providing for the payment of a portion of the service payments to the Akron Public School District, all pursuant to Ohio Revised Code Sections 5709.41 to 5709.43 (the “Act”); and declaring an emergency. (11/21/2022)
- 9 ORDINANCE declaring certain improvements to real property located in the Opportunity Park Urban Renewal District to be a public purpose and exempt from real property taxation; providing for the collection of service payments in lieu of taxes and the deposit of those service payments in the appropriate fund; providing for the payment of a portion of the service payments to the Akron Public School District, all pursuant to Ohio Revised Code Sections 5709.41 to 5709.43 (the “Act”); and

declaring an emergency. (11/21/2022)

- 10 ORDINANCE authorizing the execution of a development agreement with White Pond Reserve, LLC, or its designee; providing for the acquisition, sale and development of property within the White Pond-Frank Blvd. Urban Renewal Plan area; finding such Property is not needed for any public use, and related findings; and declaring an emergency. (11/14/2022) (See substitute item #9 in New Legislation)
- 11 D-576 Petition of Abraham Zabay for a Conditional Use to Establish an auto dealership at 338 N. Arlington Street (PC-2022-52-CU)
- 12 D-577 Petition of Yana Owens for a Conditional Use to establish a Type A daycare home at 393 E. Woodsdale Ave (PC-2022-70-CU)
- 13 D-578 Petition of Akron Zoological Park for a Conditional Use to construct a commercial facilities and grounds building at 389 Edgewood Avenue (PC-2022-69-CU)
- 14 D-579 Petition of Ja’Nae Young for a Conditional Use to establish a Type A daycare home at 1182 Tulip Street (PC-2022-68-CU)
- 15 D-580 Petition of Rick and Lesa Maconachy for a Conditional Use to construct an oversized garage additional at 525 Glenway Drive (PC-2022-67-CU)
- 16 D-581 Petition of Temple Hall Revival Group, LLC, for a Conditional Use to establish a special event center/banquet hall at 133 Merriman Road (PC-2022-72-CU)
- 17 RESOLUTION adopting the 2023 Capital Investment and Community Development Program, legally referred to as the Capital Investment Budget; and declaring an emergency. (10/24/2022) (Public Hearing was held 10/31/2022) (Substitute was offered as an amendment 11/14/2022)
- 18 D-560 Petition of LKQ Midwest for a Conditional Use to expand an auto salvage business at 1480 E. Archwood Avenue (PC-2022-55-CU)
- 19 ORDINANCE authorizing a Conditional Use to expand a business at 745 E. Archwood Avenue; and declaring an emergency. (9/12/2022) (Public Hearing was held 10/3/2022)
- 20 ORDINANCE authorizing a Conditional Use to establish a Type A daycare home at 2235 Yerrick Circle; and declaring an emergency. (9/12/2022) (Public Hearing was held 9/19/2022)

- 21 D-534 Petition of RVR Realty & Investment for a Conditional Use to expand a business at 745 E. Archwood Avenue (9/12/2022)
- 22 D-500 Petition of Ramon Hernandez for a Conditional Use to establish a short-term rental at 1764 Thornapple Avenue. (6/6/2022)
- 23 D-519 Petition of Teonka Pickett for a Conditional Use to establish a Type A daycare home at 2235 Yerrick Circle (PC-2022-37-CU)
- 24 ORDINANCE amending Title 15 “Land Usage”, Chapter 153, “Zoning Code” to reflect the enactment of the Title 15, Chapter 155 “Sign Code”; and declaring an emergency. (5/2/2022) (Public Hearing was held May 9, 2022)
- 25 ORDINANCE authorizing a Conditional Use to establish a Type A daycare home at 1363 Diagonal Road; and declaring an emergency. (12/6/21) (Public Hearing was held January 24, 2022)
- 26 ORDINANCE authorizing a Conditional Use to establish a Type A daycare home at 434 Clinton Avenue; and declaring an emergency. (Public Hearing was held 9/20/2021)
- 27 D-371 Petition of Alicia Lee, for a Conditional Use to establish a Type A daycare home at 1363 Diagonal Road. (PC-2021-58-CU) (PC-2021-38-CU) (11/15/21)
- 28 D-302 Petition of Mayamu Konneh for a Conditional Use to establish a Type A daycare home at 434 Clinton Avenue. (PC-2021-37-CU) (9/13/21)
- 29 D-285 Petition of Louie Berrodin for a Conditional Use to establish a bed and breakfast and construct an addition at 814 Bloomfield Avenue (PC-2021-30-CU) (7/12/21)
- 30 ORDINANCE authorizing a Conditional Use to establish and construct an addition to a bed and breakfast at 814 Bloomfield Avenue; and declaring an emergency. (Public Hearing was held 9/13/21)
- 31 ORDINANCE amending/supplementing Title 15, Chapter 153, “Zoning Code”, Section 153.140 “Definitions” and Section 153.310 “Business and Industry requirements” establishing a form-based Urban Overlay district for the East Market Street Corridor; and declaring an emergency. (9/14/20) (Public Hearing was held - 10/19/20)
- 32 ORDINANCE amending The Zoning Map by changing the Commercial Use District Classification (U4, H4, A5) on property located on the north

side of East Exchange Street, west of South Arlington Street, and changing the Commercial Use District (U4, H2, A4 and U4, H2, A1) on property located on the east side of South Arlington Street, south of East Exchange Street, to Retail Business Use District (U3, H2, A4); and declaring an emergency. (9/14/20) (Public Hearing was held - 10/19/20)

- 33 ORDINANCE authorizing a Conditional Use to establish a retail use at 116 E. Cuyahoga Falls Avenue; and declaring an emergency. (Public Hearing was held 6/29/20)
- 34 D-45 Petition of Ngwe Tun for a Conditional Use to establish a retail use at 116 E. Cuyahoga Falls Avenue (PC-2020-09-CU) (3/16/20)
- 35 ORDINANCE authorizing a Conditional Use to construct a parking lot on the east side of W. Center Street (PN 6716587); and declaring an emergency. (Public Hearing was held October 21, 2019)
- 36 D-774 Petition of Community Action Agency for a Conditional Use to construct a parking lot and the sale of City-owned land on W. Center Street. (Parcel No. 6716587) (PC-2019-63-CU & S) (9/16/19)
- 37 D-31. Petition of Lonnie Jones for a Conditional Use to establish a rooming house at 460 South Maple Street. (PC-2012-15) (4/16/12)

PUBLIC SERVICE (T. Mosley, Chair)

NO ITEMS

PUBLIC UTILITIES & GREEN (M. Freeman, Chair)

NO ITEMS

PUBLIC SAFETY (D. Kammer, Chair)

NO ITEMS

PARKS & RECREATION (P. Lombardo, Chair)

NO ITEMS

HOUSING & NEIGHBORHOOD ASSISTANCE (J. Fusco, Chair)

NO ITEMS

HEALTH & SOCIAL SERVICES (L. Omobien, Chair)

NO ITEMS

FILED

D-13-23 Income Tax Receipts as of October 2022

ORDINANCES & RESOLUTIONS PASSED AT PREVIOUS MEETING

ORDINANCE NO. 322-2022 authorizing the Purchasing Agent, Service Director, or their designee, after publicly advertising for bids, to enter into a contract or contracts for the demolition and removal of the former Steel Treatment Building at 655 S. Broadway Street, Akron, Ohio 44311; and declaring an emergency. (10/31/2022) Vote: 13-0.

ORDINANCE NO. 323-2022 authorizing the Purchasing Agent, Director of Public Service, or their designee, after publicly advertising for bids, to enter into a contract or contracts for the demolition and removal of the Erie Island Elementary School building at 1534 Peckham Street, Akron, Ohio 44320; and declaring an emergency. (10/31/2022) Vote: 13-0.

ORDINANCE NO. 324-2022 authorizing the Director of Public Service, or his designee, after publicly advertising for bids, to enter into a contract or contracts for the construction of the Rubber Bowl Redevelopment project; and declaring an emergency. (10/31/2022) Vote: 13-0.

ORDINANCE NO. 325-2022 authorizing the Director of Public Service to enter into a contract or contracts, without the formality of publicly advertising for bids, with A Crano Excavating, Inc. for the emergency repair of a portion of the sidewalk and street located on Independence Avenue.; authorizing payment therefor; and declaring an emergency. Vote: 13-0.

ORDINANCE NO. 326-2022 authorizing the Purchasing Agent, or her designee, to execute a contract or contracts with Tyler Technologies to extend the Akron Municipal Court's implementation services of the Odyssey Case Management System (CMS) Software as a Service (SAAS); and declaring an emergency. Vote: 13-0.

RESOLUTION NO. 327-2022 approving and confirming the reappointment of Donald Christian, Mark Derrig, and Renee Greene to the Metropolitan Regional Transit Authority ("Metro") Board of Trustees; and declaring an emergency. Vote: 13-0.

ORDINANCE NO. 328-2022 authorizing the Director of Public Service, or his designee, after publicly advertising for bids, to enter into a contract or contracts to eliminate lead material in the water distribution system throughout the City of Akron; and declaring an emergency. Vote: 13-0.

ORDINANCE NO. 329-2022 authorizing the Mayor or his designee, without the formality of publicly advertising for bids, to enter into a contract or contracts with Axon Enterprises for a contract renewal for Tasers and Taser related equipment; and declaring an emergency. Vote: 13-0.

COMMITTEE MEETINGS
Scheduled for December 5, 2022:

1:00 P.M.	Planning & Economic Development	2:30 P.M.	Health & Social Services
1:45 P.M.	Parks & Recreation	2:45 P.M.	Public Utilities & Green
2:00 P.M.	Rules	3:00 P.M.	Budget & Finance
2:00 P.M.	Public Service	3:30 P.M.	Housing & Neighborhood Assistance
2:15 P.M.	Public Safety		

NEW LEGISLATION

RULES

- 1 RESOLUTION adopting the Akron City Council logo and usage standards; and declaring an emergency.

BUDGET & FINANCE

- 2 ORDINANCE authorizing the issuance and sale of notes in a maximum principal amount of \$27,945,000, in anticipation of the issuance of bonds, to retire notes issued for the purpose of providing funds to pay the costs of various improvements in the City; and declaring an emergency.
- 3 ORDINANCE authorizing the issuance and sale of notes in a maximum principal amount of \$1,200,0000, in anticipation of the issuance of bonds, to pay the costs of acquiring and equipping motor vehicles for certain Divisions in the City; and declaring an emergency.
- 4 ORDINANCE authorizing the issuance and sale of notes in a maximum principal amount of \$6,000,000, in anticipation of the issuance of bonds, to pay the costs of improving the City's municipal parks and recreational system by constructing, improving, and equipping parks and recreational facilities; and declaring an emergency.

- 5 ORDINANCE authorizing the issuance and sale of notes in a maximum principal amount of \$11,000,000, in anticipation of the issuance of bonds, to pay the costs of constructing, reconstructing, and otherwise improving certain streets in the City; and declaring an emergency.
- 6 ORDINANCE authorizing the issuance and sale of notes in a maximum principal amount of \$1,500,000, in anticipation of the issuance of bonds, to pay the costs of constructing, reconstructing, and otherwise improving off-street parking facilities in the City; and declaring an emergency.
- 7 ORDINANCE authorizing the issuance and sale of notes in a maximum principal amount of \$1,000,000, in anticipation of the issuance of bonds, to pay the costs of the acquisition, construction, equipping and installation of capital improvements to the City's district energy system, comprising a steam, hot water and chilled water distribution system, a steam power plant and a chilled water production unit; and declaring an emergency.
- 8 ORDINANCE authorizing the issuance and sale of notes in a maximum principal amount of \$1,600,000, in anticipation of the issuance of bonds, to pay the costs of the acquisition of certain real property in Coventry Township; and declaring an emergency.
- 8a ORDINANCE amending Ordinance No. 81-2022, passed March 28, 2022, and Ordinance No. 315-2022, passed November 21, 2022, which established the annual appropriation for the current expenses, other expenditures and the capital outlays of the City of Akron for the fiscal year ending December 31, 2022; and declaring an emergency.

PLANNING & ECONOMIC DEVELOPMENT

- 9 ORDINANCE authorizing the execution of a development agreement with White Pond Reserve, LLC, or its designee; providing for the sale and development of property within the White Pond-Frank Blvd. Urban Renewal Plan area; finding such Property is not needed for any public use, and related findings; and declaring an emergency. (Substitute offered as an amendment. See Regular Agenda Item #10)
- 10 ORDINANCE authorizing the Purchasing Agent to enter into an agreement or agreements, without the formality of advertising

for bids, with Gordon Food Service for the purchase of food and related materials for use in Lock 3; authorizing payment therefor; and declaring an emergency.

- 11 ORDINANCE approving and authorizing the execution of a development agreement with FIDC 123, LLC providing for the redevelopment of the property located at 2003 Buchholzer Boulevard; and declaring an emergency.
- 12 ORDINANCE declaring certain improvements to real property located in the Chapel Hill Mall Redevelopment Area to be a public purpose and exempt from real property taxation; providing for the collection of service payments in lieu of taxes and the deposit of those service payments in the appropriate fund; providing for the payment of a portion of the service payments to the Akron Public School District, all pursuant to Ohio Revised Code Sections 5709.41 to 5709.43 (the “Act”); and declaring an emergency.

PUBLIC SAFETY

- 13 RESOLUTION amending and/or supplementing Title 13, Chapter 135 “Offenses Against Persons,” Section 135.06 “Menacing” of the Akron Codified Ordinances in order to impose a mandatory minimum jail sentence for incidents of menacing against public employees and utility workers; and declaring an emergency.
- 14 ORDINANCE authorizing the Mayor or his designee to enter into various contracts with Summit County, The University of Akron, and/or the City of Fairlawn for the purchase and installation and maintenance of equipment, hardware, internet service, and software services necessary for the deployment of a public safety monitoring network in or around the off-campus housing area south of The University of Akron’s campus; and declaring an emergency.

HEALTH & SOCIAL SERVICES

- 15 ORDINANCE authorizing the Mayor, or his designee, to accept and expend funding from The Goodyear Tire & Rubber Company Better Future Grant; and declaring an emergency.